

**GARDNER GROFF**

A PROFESSIONAL CORPORATION

PRACTICING INTERNATIONAL AND DOMESTIC PATENT, TRADEMARK AND COPYRIGHT LAW AND RELATED MATTERS EXCLUSIVELY

ARTHUR A. GARDNER  
BRADLEY K. GROFF  
JOHN W. GREENWALD  
DANIEL J. SANTOS  
JOHN M. HARMAN\*  
MICHELLE E. KANDLER  
PATRICIA L. ADES  
R. STEVAN COURSEY

\* OTHER BARS ONLY

RECEIVED  
CENTRAL FAX CENTER  
JAN 11 2005**FAX**

To: EXAMINER OANH L. DUONG From: JOHN M. HARMAN (38,173)  
Company: USPTO - ART UNIT 2155 Page 1 of 9  
Fax: 703-872-9306 Date: JAN. 11, 2005  
Re: SERIAL NO. 09/873,683 OUR REF.: 9401.1-020

☐ Urgent ☐ For Review ☐ Please Reply ☒ Please Confirm Receipt ☐ Original Following Via Mail

PLEASE CALL 770.984.2300 IMMEDIATELY IF NOT RECEIVED PROPERLY

**NOTICE**

THE INFORMATION TRANSMITTED HERewith MAY CONTAIN PRIVILEGED, TRADE SECRET AND/OR CONFIDENTIAL INFORMATION, AND IS INTENDED SOLELY FOR THE VIEWING AND USE OF THE PERSON OR ENTITY NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY REVIEW, USE, COMMUNICATION, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY BY TELEPHONE, AND RETURN OR DESTROY ALL COPIES.

PAPER MILL VILLAGE, BUILDING 23, 600 VILLAGE TRACE, SUITE 300, MARIETTA, GEORGIA 30067 U.S.A.  
TELEPHONE 770.984.2300 FACSIMILE 770.984.0098  
WEBSITE: GARDNERGROFF.COM

RECEIVED  
CENTRAL FAX CENTER  
JAN 11 2005

Serial No.: 09/873,683  
Attorney Docket No.: 9L01.1-020  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: MCKENZIE et al. )  
Serial No.: 09/873,683 )  
Filed: June 4, 2001 ) Group Art Unit: 2155  
For: "SYSTEM AND METHOD FOR PROCESSING )  
UNSOLICITED MESSAGES" ) Examiner: DUONG, Oanh L.

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 11, 2005

**RESPONSE AND AMENDMENT**

Sir:

In response to the Office Action mailed October 18, 2004, please amend the above-referenced patent application as follows and consider the remarks below. This Response is believed to be timely. No extension is believed to be due. However, in the event that any extension of time is required, please consider this a request therefor. The Commissioner is authorized to charge any additional fees due or credit any overpayment to Deposit Account 50-1513.

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at 703-872-9306 on the date indicated below.

  
Carissa McGrew

JANUARY 11, 2005  
Date